

## **Proposed Animal Control Ordinance Amendments Overview**

The proposed ordinance amends Title 11, King County Code (KCC), animal control regulations, and K.C.C. 21A.30.020, the small animal regulations in the zoning code, ensuring consistency between Titles 11 and 21A regarding keeping dogs, cats and other small animals. There are also a number of housekeeping changes to Title 11.

The following policies guided the drafting of the amendments:

- References to maximum numbers of animals will point to Title 21A (zoning code). Other requirements referenced in Title 11 that are also covered in Title 21A, for example signage required by hobby kennel licensees, point to the zoning code. Definitions in Title 11 that are also in the zoning code mirror the zoning code definitions.
- The requirement for a hobby kennel license when the number of pets exceeds three will stay unchanged in the animal control code as it ensures basic health and welfare for the animals and protects human health and safety by ensuring the maintenance of the animals is compatible in the neighborhood. The requirement for a hobby kennel license is not in conflict with Title 21A.
- The activity of fostering, covered by the individual private animal placement permit and the organizational private animal placement permit, is an activity we wish to promote and encourage as it supports the overall goal of promoting pet adoptions and reducing animal euthanasia. Consequently, the permit allows permit holders to exceed the maximum number of animals allowed by Title 21A by five foster animals.
- Currently, Title 21A prohibits anyone from having more than three unaltered pets. We believe that this was not intended but the result of poor sentence construction; consequently, the language is changed to allow for the keeping of more than three unaltered pets if a person has a hobby kennel license.
- Recent changes in the Agriculture Zone to allow kennels as an outright use affected kennel provisions in K.C.C. 21A.30.020, the small animal regulations in the zoning code, and this section was not amended to reflect the new changes. Consequently, K.C.C. 21A.30.020 is amended to be consistent with the recent changes affecting kennels in the A zone.

An explanation of the changes, section by section, follows.

### ***Section 1. Purpose Statement.***

This section is amended to include policy direction the Council set forth in Ordinance 10423 including increasing pet identification and reducing the numbers of healthy, adoptable dogs and cats euthanized by the County. It also removes language from Ordinance 13148 regarding conflicts between the zoning code and the animal control code since the areas of conflict have been identified and brought into consistency by these amendments.

## ***Section 2. Definitions.***

Many of the definitions have been edited for proper grammar usage, punctuation, or to eliminate arcane terminology. Others have been updated so the definition more accurately describes the activity, license, or act. Definitions with more substantive changes include:

<b><u>Definition</u></b>	<b><u>Description</u></b>
Cattery	Made consistent with zoning code (K.C.C. 21A.06.175).
Fostering	Removes operational requirements from definition.
Hobby cattery	Eliminates and incorporates into the definition of hobby kennel.
Hobby kennel	Includes dogs, cats, or dog and cat combinations.
Kennel	Made consistent with zoning code (K.C.C. 21A.06.660).
Individual private animal placement permit	Amended to be required whenever fostering four or more adult dogs/cats, OR whenever foster activity results in someone exceeding the maximum numbers of small animals allowed in Title 21A.
Organizational private animal placement permit	Amended to be required whenever organization members foster four or more adult dogs/cats, OR whenever foster activity results in members exceeding the maximum numbers of small animals allowed in Title 21A.
Service animal	Updates the definition to mirror ADA definition.
Shelter	Clarifies that only a county owned, operated or contracted facility can house strays. Other shelters house owner-released animals.
Special hobby kennel	Deleted.

## ***Section 3. Licenses required.***

This section adds hobby kennels to the requirement that certain businesses obtain a license. Also added is a requirement that personal pets (dogs/cats) owned by commercial kennel licensees be individually licensed. Dogs/cats boarded less than 30 days do not require individual licenses.

## ***Section 4. Information required.***

This section removes two code sites (K.C.C. 11.04.100 and 11.04.110) because they have been repealed.

## ***Section 5. Hobby kennels.***

This section has a number of changes to make it consistent with the small animal and dog/cat provisions in Title 21A. The changes include:

- Points the reader to K.C.C. 21A.30.020 in the zoning code for the maximum numbers of dogs and cats allowed and deletes the conflicting language on numbers.
- Adds a reference for how maximum numbers of pets are determined for contract cities that wish to continue using this language as many cities have adopted Title 11 by reference but not the County's zoning code.
- Changes the fencing requirement from a mandated six feet to a more flexible requirement that dogs/cats be maintained in such a manner as to confine them to the owner's property.
- Refers back to Title 21A for signage regulations.
- Kennel setbacks have been changed from a minimum of 20 feet to 10 feet; however, additional fencing, screening or set-back may be required to ensure that the hobby kennel is compatible in the neighborhood.
- Clarifies that cats kept indoors as household pets (language from Title 21A that allows for an unlimited number) means cats kept strictly indoors and not allowed outdoors at any time.
- Adds a requirement that juvenile dogs/cats are counted as adults if they are not the offspring of dogs/cats approved for the hobby kennel, and requires that only licensed juvenile offspring of licensed adult dogs/cats may be offered for sale. This will eliminate properties with large collections of young dogs/cats that are the offspring of nonresident female dogs/cats.
- Removes the special hobby kennel provisions. These provisions were established in 1992 to ensure that canvassers who were going door-to-door were able to license all pets in a household. This "special" license was intended to allow a person to keep the pets they had at that time (1992) and not acquire additional pets until they had reduced through natural attrition. The Division recognized a "de-facto" license situation for residents with more than three household pets except in those cases where a complaint existed. No special hobby kennel licenses were ever issued.

### ***Section 6. Inspections.***

As the animal control code has been amended over the years, this section was not amended to include new categories of licenses such as hobby kennels or private animal placements.

### ***Section 7. Conditions for licensing and operation.***

This section combines three sections so that all of the operating requirements for commercial type businesses (kennels, pet shops, groomers) are in one section and easily located in the code. The only new requirement is in section U., animals that are caged or closely confined shall be exercised.

### ***Section 8. Repeals KCC 11.04.100.***

These were indoor commercial facility requirements which have been moved to Section 7.

***Section 9. Repeals KCC 11.04.110.***

These were outdoor commercial facility requirements which have been moved to Section 7.

***Section 10. Grooming services.***

These are housekeeping amendments relating to grooming business operations.

***Section 11. Additional conditions.***

Adds catteries and private animal placements to this section.

***Section 12. Revocation, suspension or refusal to renew.***

Expands this provision to include both refusal to renew and to issue. Adds catteries and private placements.

***Section 13. Revocation refusal waiting period.***

Adds catteries and private animal placements to this section.

***Section 14. Private animal placement permit - individual.***

This section has been amended to incorporate the changed definition of the individual private animal placement permit (permit required whenever one fosters more than three adult dogs/cats or in those cases where the activity of fostering causes one to exceed the maximum numbers of animals allowed in Title 21A). There are also numerous grammar and organization changes. It was also reworked to include provisions previously found in the definition section which are more appropriately located in the body of the ordinance. This includes the requirement that individuals agree to accept only owner-released animals or animals released by the animal control authority.

***Section 15. Private animal placement permit - organizational.***

Housekeeping changes consistent with those of Section 14.

***Section 16. Violations- Infractions.***

A new section that makes violations of any provision in the animal control code, except those noted as misdemeanors, an infraction.

***Section 17. Violations-Misdemeanors.***

Specifies those provisions of the animal control code that remain misdemeanors. Includes unlawful acts against police dogs, animal cruelty, and vicious/dangerous animals.

***Section 18. Impounding.***

In addition to language clarification, the requirement that the County not sell animals for research is repeated twice in this section; one is removed. The adoption fee (\$7.50) was missed when all fees were moved to Section 11.04.035 in 1985, so it is deleted (the fee has been subsequently amended). Adds a timeframe of 24-months to the period of time checked for when an unaltered animal, impounded for the second time, triggers the mandatory spay/neuter. Adds a \$100 assessment for the mandatory spay/neuter requirement if our own County vet performs the spay/neuter surgery or the actual costs if done by a contract vet.

***Section 19. Repeal 11.04.320.***

This miscellaneous service charge (\$2.00 for a license replacement) was missed when all fees were moved to Section 11.04.035 in 1985 (the fee has been subsequently amended).

***Section 20. Repeal 11.04.500 - Exemptions from chapter.***

This provision, adopted with Ordinance #10423 in 1992, was intended to exempt organizations involved in research, such as Fred Hutchinson and the University of Washington. However, the wording of the section, exempting anyone registered or licensed with the United States Department of Agriculture, is too broad as it takes in a number of other animal facilities including kennels, pet shops, animal exhibitors, and others who then are not subject to any of the requirements of Title 11.04. The exemption for the named institutions above are not necessary as they are in the city limits of Seattle and not subject to this ordinance.

***Section 21. Rabies vaccination required.***

Requirement for rabies vaccination is changed from six to four months at the suggestion of the King County Animal Control chief shelter veterinarian. This is consistent with current vaccine practice and vaccine manufacturer's recommendations.

## **Section 22. Repeal 11.04.530 – Euthanasia rate targets.**

These targets, adopted in 1992, cover 1995 to 2000, are expired, and have all been met. Section B. requires annual reporting of euthanasia numbers which is already required by K.C.C. 11.04.550, Monitoring and Reporting.

## **Section 23. Animal regulations – Small animals. (Title 21A.30.020)**

These amendments are to bring consistency and remove conflict between Titles 11 and 21A with regard to the small animal regulations.

A. Small animals which are kept indoors as household pets in aquariums, terrariums, cages or similar containers shall not be limited in number, except as may be provided in Title 11. Other small animals, excluding cats kept indoors as household pets, shall be limited to five ~~((, of which not more than three may be unaltered cats or dogs))~~. Cats kept indoors shall not be limited in numbers.

- The phrase “of which not more than three may be unaltered cats or dogs” in 21A.30.020 A. is deleted as this requirement is repeated in 21A.30.020 C.

B. Other small animals kept outside, including adult cats and dogs, shall be limited to three per household on lots of less than 20,000 square feet, five per household on lots of 20,000 to 35,000 square feet, with an additional 2 per acre of site area over 35,000 square feet up to a maximum of 20, ~~((unless))~~ except as follows:

1. ((m))More are allowed as an accessory use pursuant to paragraph E.((, provided that all unaltered animals kept outdoors must be kept on a leash or in a confined area.)); or,
2. More are allowed ((except as authorized for a hobby kennel or cattery or commercial kennel or cattery)) pursuant to K.C.C. 11.04.

- Paragraph B. sets out the limits of small animals per lot size. There are two exceptions to the limitations, so they are set out as 1. and 2.
- The phrase “all unaltered animals kept outdoors must be kept on a leash or in a confined area” is moved to paragraph C. since it addresses unaltered adult dogs and cats. This phrase is also moved because the following phrase, “except as authorized for a hobby kennel or cattery or commercial cattery or kennel,” was modifying the phrase that dealt with keeping unaltered animals on a leash or confined area. We believe it was the Council’s intent that the minimum number of animals could vary if authorized in Title 11, and that this phrase was intended to modify the first phrase of the paragraph and not the phrase dealing with keeping unaltered pets on leashes.
- The phasing of “except as authorized for a hobby kennel or cattery or commercial kennel or cattery” was changed to “pursuant to K.C.C. 11.04” to recognize other categories of licenses that may provide for exceptions, namely the private animal placement permit.

C. ~~((Excluding kennels and catteries, t))~~ The total number of unaltered adult cats and/or dogs per household shall not exceed three, except as authorized pursuant to K.C.C. 11.04, provided that all unaltered animals kept outdoors must be kept on a leash or in a confined area.

- This sentence was inserted from paragraph B.

21A.30.020E.3. Kennels and catteries are subject to K.C.C. 11.04 and the following requirements:

- a. For kennels located on residential zoned sites:
  - (1) The minimum site area shall be five acres; and
  - (2) Structures housing animals and outdoor animal runs shall be a minimum distance of 100 feet from property lines abutting residential zones;
- b. For kennels located on non-residential zoned sites(~~(7)~~):
  - (1) ~~((#))~~Run areas shall be completely surrounded by an eight foot solid wall or fence(~~(7)~~~~and be subject to the requirements in K.C.C. 11.04.060~~); and
  - (2) Structures housing animals and outdoor animal runs shall be a minimum distance of 100 feet from property lines abutting residential zones.
- c. Catteries shall be on sites of 35,000 square feet or more, and buildings used to house cats shall be a minimum distance of 50 feet from property lines abutting residential zones.
- d. Kennels and catteries in the A zone shall be subject to additional provisions in K.C.C. 21A.08.050.

- “K.C.C. 11.04” is added for clarification.
- 21A.30.020 E.3.b.(1) removes an incorrect reference to 11.04.060 which were the hobby kennel provisions, not the kennel requirements, as the reference is moved to the lead-in statement at level 3.
- 21A.30.020 E.3.b.(2) adds that structures housing animals and outdoor runs in non-residential zoned lots must maintain a minimum distance of 100 feet from property lines that are abutting residential zones.
- A new paragraph (d) is added to recognize recent changes to the A zone for allowing commercial kennels.

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